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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,770	03/31/2001	Anil K. Annadata	M-11405 US	6431

33031 7590 07/31/2003

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EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

10

DATE MAILED: 07/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/823,770

Applicant(s)

ANNADATA ET AL.

Examiner

Quynh H Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 March 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5, 6, 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 8, 11-15, 20, 23-25, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Shtivelman et al. (U.S. Patent 6,263,066).

Regarding claims 1, 3, 13, 15, 23, and 25, Shtivelman et al. teach a method of maintaining real-time data ("for example, live calls") for multi-channel ("multimedia") communication queueing comprising: the call center receives all types of multimedia communication that can be queued, routed and and recorded in the same queue (Abstract and col. 4, lines 41-48 and col. 11, lines 30-40). Furthermore, Shtivelman et al. teach a database (Fig. 2, 43 and col. 11, lines 1-10).

Regarding claims 2, 14, and 24, Shtivelman et al. teach the data includes information related to the agent's skills (col. 3, line 29 through col. 4, line 4 and col. 10, lines 30-38).

Regarding claims 8, 20, and 30 Shtivelman et al. teach assigning a priority value to the media routes (Abstract).

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Claims 11 and 12 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Shtivelman et al. teach computer instructions (col. 10, lines 22-30 - "software") to implement the method of these claims.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-7, 9, 10, 16-19, 21, 22, 26-29, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shtivelman et al. (U.S. Patent 6,263,066) in view of Ginsberg (U.S. Patent 6,064,730).

Regarding claims 4-6, 16-18, and 26-28, the claimed invention recites the language "at least one of..." and therefore only <sup>one</sup> is needed to be addressed. For example, compiling statistic of the media routes including at least one of: waiting time during a period, handling time during a period, number of abandon requests, longest waiting time, percentage of available agents..., the statistic of the media routes may only have waiting time during a period and not others. Furthermore, Shtivelman et al. do not teach compiling statistics for the media routes and a communication channel including waiting time.

Ginsberg teaches compiling statistical information such as waiting time, number of work items ("how long the agent's queue is"), and time spent handling a work item ("how fast the agent's queue is moving, etc.") (col. 2, lines 44-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of compiling statistical information such as waiting time, number of work items, and time spent handling a work item, as taught by Ginsberg, in Shtivelman's system in order to have a better system that compiling other relevant statistical information and providing customer with a visual presentation of relevant statistical information such as waiting time, how long an agent's queue is, and how fast the agent's queue is moving.

Regarding claims 7, 19, and 29, Ginsberg teaches an interactive system providing customer with a visual presentation of relevant statistical information such as waiting time, how long an agent's queue is, and how fast the agent's queue is moving. In order to perform such the described function, for example, display statistical information in the interactive system, it would have been necessary to compile a journal for the mentioned above items.

Regarding claims 9, 10, 21, 22, 31, and 32, Shtivelman et al. do not teach setting a maximum number of queued items for the media routes and a time for escalating a work item. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the mentioned above feature into Shtivelman's system in order to better manage the call center.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Costantini et al. (U.S. Patent 5,506,898) teach expected wait time indication arrangement.

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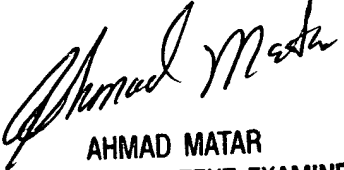
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen  
July 21, 2003

  
AHMAD MATAR  
SUPERVISORY PATENT EXAMINER  
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